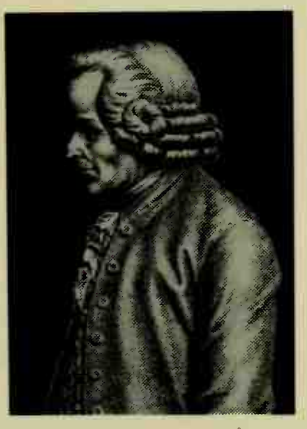
Jean-Jacques Rousseau

ON THE SOCIAL CONTRACT

with Geneva Manuscript and Political Economy



Edited by Roger D. Masters

Translated by Judith R. Masters

Discourse On Political Economy[1]

ECONOMY or OECONOMY, (Moral and Political.) This word comes from οἶκος, *house,* and νόμος, law, and originally signified only the wise and legitimate government of the household for the common good of the whole family. The meaning of the term was subsequently extended to the government of the large family which is the State. In order to distinguish these two meanings, in the latter case it is called *general,* or *political, economy,* and in the former *domestic,* or *private, economy.* This article is concerned only with the first of these. Regarding *domestic economy,* see *FATHER OF THE FAMILY.*[2]

Even if there were as much similarity between the State and the family as several authors claim, it would not necessarily follow that the rules of conduct appropriate to one of these two societies were suited to the other.[3] They differ too much in size to be administered in the same way, and there will always be a very great difference between domestic government, where the father can see everything for himself, and civil government, where the leader sees almost nothing except through the eyes of others. For things to become equal in this respect, the talents, force, and faculties of the father would have to increase in proportion to the size of his family, and the soul of a powerful monarch would have to be, compared to that of an ordinary man, what the extent of his empire is to the inheritance of a private individual.

But how could the government of the State be like that of the family, whose basis is so different? Because the father is physically stronger than his children, paternal power is correctly thought to be established by nature for as long as they need his help. In the large family, all of whose members are naturally equal, political authority—purely arbitrary as regards its institution—can only be founded on conventions, and the magistrate can only com-

mand the citizen by virtue of the laws.[4] The father's duties are dictated by natural feelings, and in such a way that he can rarely disobey. Leaders have no similar rule and are not really obligated to the people except for what they have promised to do, which the people has the right to require them to carry out. Another even more important difference is that since the children have nothing except what they receive from the father, it is evident that all property rights belong to, or emanate from, him. It is just the opposite in the large family, where the general administration is only established in order to assure private property, which is antecedent to it. The main object of the entire household's work is to preserve and increase the father's patrimony, so that someday he can divide it among his children without impoverishing them; whereas the wealth of the public treasury is only a means, often very badly understood, to maintain private individuals in a state of peace and plenty. In short, the small family is destined to die out and split up someday into several other similar families, whereas the large one is made to last always in the same state. The former must increase in order to multiply, whereas not only does it suffice for the latter to preserve itself, but it can easily be proved that all growth is more harmful than useful to it.

For several reasons derived from the nature of things, the father should command in the family.[5] First, the authority of the father and mother should not be equal; rather, there must be a single government, and when opinions are divided, there must be a dominant voice that decides. Second, however slight the incapacitations peculiar to the wife are thought to be, since they are always an inactive period for her, this is sufficient reason to exclude her from primacy, because when the balance is perfectly equal, a straw is enough to tip it. Furthermore, the husband should oversee his wife's conduct, because it is important to him that the children he is forced to recognize do not belong to anyone other than himself. The wife, who has no such thing to fear, does not have the same right over her husband. Third, children should obey their father, at first through necessity, later through gratitude. After having their needs met by him for half their lives, they should devote the other half to attending to his needs. Fourth, as regards domestic servants, they too owe him their services in return for the livelihood he gives them, unless they break the exchange when it no longer suits them. I do not speak for slavery, because it is contrary to nature and no right can authorize it.

Nothing of this kind exists in political society. Far from the leader's having a natural interest in the happiness of private individuals, it is not unusual for him to seek his own happiness in their misery. Is the magistracy hereditary? Often a child is in command of men. Is it elective? Elections present a thousand drawbacks. And in either case all the advantages of paternity are lost. If you have only one leader, you are at the discretion of a master who has no reason to love you. If you have several, you must simultaneously bear their tyranny and their dissensions. In short, abuses are

inevitable and their consequences disastrous in all societies, where the public interest and the laws have no natural force and are continuously assailed by the personal interest and passions of both leader and members.

Although the functions of the father of a family and of the prince should be directed toward the same goal, the paths they take are so different, their duties and rights are so dissimilar, that one cannot confuse them without forming false ideas about the fundamental laws of society, and without making mistakes that are fatal to the human race. Indeed, while nature's voice is the best advice a father can heed to fulfill his duties, for the magistrate it is a false guide, working continuously to separate him from his people, and bringing him sooner or later to his downfall or to that of the State unless he is restrained by the most sublime virtue. The only precaution necessary to the father of a family is to protect himself from depravity, and to prevent his natural inclinations from becoming corrupt, whereas it is these very inclinations which corrupt the magistrate. To do what is right, the former need only consult his heart; the latter becomes a traitor the moment he heeds his. Even his own reason should be suspect to him, and he should follow no other rule than the public reason, which is the law. Besides, nature has made a multitude of good fathers of families, but it is doubtful that since the beginning of the world, human wisdom has ever made ten men capable of governing their fellow men.

It follows from everything I have just set forth, that *public economy* is correctly distinguished from *private economy,* and that since the State has nothing in common with the family except the obligation of their leaders to make each of them happy, the same rules of conduct could not be suited to both.[6] I thought these few lines would suffice to reject the odious system that Sir Filmer tried to establish in a work entitled *Patriarcha,* which two famous men have already overly honored by writing books to refute it. Besides, this error is very old, since Aristotle himself saw fit to combat it with reasons that can be found in the first book of his *Politics*.[7]

I urge my readers also to distinguish carefully *public economy,* about which I am to speak, and which I shall call *government,* from the supreme authority, which I call *sovereignty*—a distinction that consists in the one having the legislative right and in certain cases obligating the body of the nation itself, while the other has only the executor's power and can only obligate private individuals. *See POLITICS and SOVEREIGNTY*.[8]

Allow me to use for a moment a common comparison, imprecise in many ways, but suited to making myself better understood.

The body politic, taken individually, can be considered to be like a body that is organized, living, and similar to that of a man. The sovereign power represents the head; the laws and customs are the brain, source of the nerves and seat of the understanding, will, and senses, of which the judges and magistrates are the organs; commerce, industry, and agriculture are the mouth and stomach that prepare the common subsistence; public finances

are the blood that a wise economy, performing the functions of the heart, sends out to distribute nourishment and life throughout the body; the citizens are the body and members that make the machine move, live, and work, and that cannot be harmed in any part without promptly sending a painful response to the brain if the animal is in a state of health.

The life of both is the *self* common to the whole, the reciprocal sensitivity and internal correlation of all the parts. What happens if this communication ceases, if formal unity disappears and contiguous parts are related to one another only by their proximity? The man is dead or the State is dissolved.

The body politic is thus also a moral being that has a will; and this general will, which always tends toward the preservation and welfare of the whole and of each part, and which is the source of the laws, is—for all the members of the State in relation to themselves and to it—the rule of what is just and unjust. This truth, let me say in passing, shows how incorrectly many writers have treated as theft the cunning prescribed to Spartan children for obtaining their frugal meal, as if everything that is required by law could fail to be legitimate. *See RIGHT*, for the source of this great and luminous principle, which that article develops.[9]

It is important to note that this rule of justice, infallible in relation to all citizens, can be defective with foreigners. And the reason for this is evident. Then the will of the State, although general in relation to its members, is so no longer in relation to other States and their members, but becomes for them a private and individual will that has its rule of justice in the law of nature, which fits in equally well with the principles established. For then the large town of the world becomes the body politic, of which the law of nature is always the general will and the various States and peoples are merely individual members.

These same distinctions, applied to each political society and its members, give rise to the most universal and infallible rules by which to judge a good or bad government, and in general the morality of all human actions.

All political societies are composed of other, smaller societies of different types, each of which has its interests and maxims. But these societies that everyone perceives, because they have an external, authorized form, are not the only ones that really exist in the State. All the private individuals united by a common interest constitute as many others, permanent or temporary, whose force is no less real for being less apparent, and whose various relationships, well observed, are the true knowledge of mores. It is all these tacit or formal associations which modify in so many ways the appearance of the public will by the influence of their own. The will of these particular societies always has two relations: for the members of the association, it is a general will; for the large society, it is a private will, which is very often found to be upright in the first respect and vicious in the latter. A given man can be a pious priest, or a brave soldier, or a zealous lawyer, and a bad citizen. A given

deliberation can be advantageous to the small community and pernicious to the large one. It is true that since particular societies are always subordinate to those that contain them, one ought to obey the latter in preference to the former; the citizen's duties take precedence over the senator's, and the man's over the citizen's. But unfortunately personal interest is always found in inverse ratio to duty, and it increases in proportion as the association becomes narrower and the engagement less sacred—invincible proof that the most general will is also always the most just, and that the voice of the people is in fact the voice of God.[10]

Even so, it does not follow that public deliberations are always equitable. They may not be so concerning foreign affairs; I have stated the reason for this. Thus it is not impossible for a well-governed republic to wage an unjust war. Nor is it impossible for the council of a democracy to pass bad decrees and condemn innocent men. But that will never happen unless the people is seduced by private interests that some wily men have been able to substitute for its own. Then the public deliberation will be one thing and the general will a completely different thing. Do not raise Athens as an objection, then, because Athens was not in fact a democracy, but a highly tyrannical aristocracy, governed by learned men and orators.[11] Examine carefully what happens in any deliberation, and you will see that the general will is always in favor of the common good. But very often a secret split occurs, a tacit confederation, which causes the natural disposition of the assembly to be bypassed for the sake of private views. Then the social body really divides into other bodies whose members adopt a general will that is good and just with respect to these new bodies, unjust and bad with respect to the whole from which each of them has broken away.

This shows how easy it is, using these principles, to explain the apparent contradictions seen in the conduct of many men who are full of scruple and honor in certain respects, deceitful and knavish in others; trampling underfoot the most sacred duties, yet faithful unto death to engagements that are often illegitimate. Thus the most corrupt men always render some sort of homage to the public faith. Thus (as noted in the *article RIGHT*) even brigands who are the enemies of virtue in the large society worship its semblance in their hideouts.[12]

In establishing the general will as the first principle of public *economy* and the fundamental rule of government, I did not believe it was necessary to examine seriously whether the magistrates belong to the people or the people to the magistrates, and whether in public affairs it is the good of the State or that of the leaders that should be consulted. This question was long ago resolved in one way by practice and in another by reason; and in general it would be sheer madness to hope that those who are in fact masters will prefer another interest to their own. It would be appropriate, therefore, to divide public *economy* further into popular and tyrannical. The former is that of all States in which the people and the leaders have the same interest and the

same will. The other necessarily exists everywhere that the government and the people have different interests and consequently opposing wills. The maxims of the latter are inscribed all through the archives of history and in Machiavelli's satires.[13] The others are found only in the writings of philosophers who dare to demand the rights of humanity.

I. The first and most important maxim of legitimate or popular government—that is, one that has the good of the people as its object—is therefore, as I have said, to follow the general will in all matters. But in order to follow it, it must be known, and above all well distinguished from the private will, starting with one's own, a distinction that is always extremely difficult to make and on which only the most sublime virtue can shed sufficient light. Since it is necessary to be free in order to will, another difficulty, which is hardly lesser, is to assure both public freedom and the government's authority. Seek the motives that have brought men, united by their mutual needs in the large society, to unite more closely by means of civil societies. You will find none other than that of assuring the goods, life, and freedom of each member by the protection of all. But how can men be forced to defend the freedom of one among them without infringing on that of the others? And how can the public needs be met without altering the private property of those who are forced to contribute to it? Whatever sophisms may be used to disguise all this, it is certain that if someone can constrain my will, I am no longer free, and that I am no longer master of my goods if another can meddle with them. This difficulty,[14] which must have seemed insurmountable, was removed along with the first by the most sublime of all human institutions, or rather by a celestial inspiration that taught man to imitate here on earth the immutable decrees of the divinity. By what inconceivable art could the means have been found to subjugate men in order to make them free; to use the goods, the labor, even the life of all its members in the service of the State without forcing and without consulting them; to bind their will with their own consent; to make their agreement predominate over their refusal; and to force them to punish themselves when they do what they did not want? How can it be that they obey and no one commands, that they serve and have no master, and are all the freer, in fact, because under what appears as subjugation, no one loses any of his freedom except what would harm the freedom of another. These marvels are the work of the law. It is to law alone that men owe justice and freedom. It is this healthy instrument of the will of all that reestablishes, as a right, the natural equality among men. It is this celestial voice that tells each citizen the precepts of public reason, and teaches him to act according to the maxims of his own judgment and not to be in contradiction with himself. It is also through the law alone that leaders must speak when they command; for as soon as a man claims to subject another to his private will independently of the laws, he immediately leaves the civil state, and in relation to the other man places himself in the pure state of nature, where obedience is never prescribed except by necessity.

The most pressing interest of the leader, as well as his most indispensable duty, is therefore to attend to the observation of the laws of which he is the minister and on which all his authority is based. If he must make others observe them, there is even greater reason for him to observe them himself, as the one who enjoys all their benefits. For his example is so powerful that even if the people would tolerate his emancipation from the yoke of the law, he ought to refrain from taking advantage of such a dangerous prerogative, which others would soon attempt to usurp in turn, and often to his detriment. At bottom, since all of society's engagements are reciprocal in nature, it is not possible to be above the law without renouncing its advantages, and no one owes anything to any person who claims he owes nothing to anyone. For the same reason, no exemption from the law will ever be accorded for any reason whatever in a well-regulated government. Even the citizens who most deserve something from the homeland should be rewarded with honors and never with privileges. For the republic is on the brink of ruin as soon as someone can think it is a fine thing not to obey the laws. But if ever the nobility or the military or some other order within the State were to adopt such a maxim, all would be irretrievably lost.

The power of laws depends even more on their own wisdom than on the severity of their ministers, and the public will derives its greatest influence from the reason that dictated it. It is because of this that Plato considers it a very important precaution always to place at the head of edicts a well-reasoned preamble which shows their justice and utility.[15] Indeed, the first of the laws is to respect the laws. Severity of punishments is merely a vain expedient thought up by small minds in order to substitute terror for the respect they can't obtain. It has always been noted that the countries where corporal punishments are most terrible are also those where they are most frequent; so that the cruelty of penalties is hardly anything except a sign of the multitude of lawbreakers, and when everything is punished with equal severity, the guilty are forced to commit crimes to escape punishment for their mistakes.

But although the government is not the master of the law, it is no small thing to be its guarantor and to dispose of a thousand ways of making it beloved. The talent of reigning consists of nothing else. When one has force in hand, there is no art to making everyone tremble, and not even very much to winning men's affection; for experience has long taught the people to be very grateful to its leaders for all the evil they do not do to it, and to worship its leaders when not hated by them. An imbecile who is obeyed can, like anyone else, punish crimes. The true statesman knows how to prevent them. He extends his respectable dominion over wills even more than over actions. If he could create a situation in which everyone did what is right, he himself would have nothing further to do, and the masterpiece of his works would be to be able to remain idle. It is certain, at least, that the greatest talent of leaders is to disguise their power to make it less odious, and to manage the State so peacefully that it seems to have no need for managers.

Therefore, I conclude that just as the legislator's first duty is to make the laws conform to the general will, the first rule of public *economy* is for the administration to be in conformity with the laws. This will even be sufficient for the State not to be badly governed, if the legislator has attended as he should to all that is required by the location, climate, soil, mores, surroundings, and all the particular relationships of the people he was to institute.[16] Not that there do not still remain an infinite number of administrative and economic details left to the wisdom of the government. But it always has two infallible rules for acting correctly on those occasions. One is the spirit of the law, which should help in deciding cases that the law could not foresee. The other is the general will, source and supplement of all the laws, and which should always be consulted when they are lacking. How, I will be asked, can the general will be known in cases where it has not expressed itself? Must the whole nation be assembled at each unforeseen event? Such an assembly is all the less necessary because it is not sure its decision would be the expression of the general will; because this means is impractical for a large people; and because it is rarely necessary when the government is well intentioned.[17] For the leaders know very well that the general will is always for the side most favorable to the public interest—that is, for the most equitable; so that it is only necessary to be just and one is assured of following the general will. Often, when it is too openly offended, it manifests itself despite the terrible restraint of the public authority. I look as near at hand as I can for examples to follow in such a case. In China, the prince follows an unwavering maxim of blaming his officers in all disputes that arise between them and the people. Is bread expensive in one province? The intendant is put in prison. Is there rioting in another? The governor is demoted, and each mandarin answers with his life for all the trouble that occurs in his department. Not that the affair is not later examined in a regular trial. But long experience has made it possible to anticipate the verdict. There is rarely any injustice to remedy in this; and the emperor, convinced that public clamor never arises without cause, always discerns among the seditious cries that he punishes, some just grievances that he rectifies.

It is no small thing to have brought order and peace to all the parts of the republic; it is no small thing that the State is tranquil and the law respected. But if one does nothing more, all this will be more apparent than real, and the government will have difficulty making itself obeyed if it limits itself to obedience. If it is good to know how to use men as they are, it is better still to make them what one needs them to be. The most absolute authority is that which penetrates to the inner man and is exerted no less on his will than on his actions. It is certain that people are in the long run what the government makes them. Warriors, citizens, men when it so pleases; mob and rabble when it wishes. And every prince who scorns his subjects dishonors himself by showing that he did not know how to make them worthy. Train men, therefore, if you want to command men. If you want the laws to be obeyed,

make them beloved, so that for men to do what they should, they need only think they ought to do it. That was the great art of the governments of antiquity, in those remote times when philosophers gave laws to peoples, and only used their authority to make them wise and happy. From this came the many sumptuary laws, the many regulations concerning mores, the many public maxims accepted or rejected with the greatest care. Even tyrants did not forget this important part of administration, and they gave as much careful attention to corrupting the mores of their slaves as did the magistrates to correcting the mores of their fellow citizens. But our modern governments, which think they have done all there is to do when they have collected money, don't even imagine that it is either necessary or possible to go that far.

II. The second essential rule of public *economy* is no less important than the first. Do you want the general will to be fulfilled? Make sure that all private wills are related to it; and since virtue is only this conformity of the private will to the general, to say the same thing briefly, make virtue reign.[18]

If political theorists were less blinded by their ambition, they would see how impossible it is for any establishment whatever to function in the spirit of its institution if it is not directed in accordance with the law of duty. They would realize that the greatest wellspring of public authority lies in the hearts of the citizens, and that for the maintenance of the government, nothing can replace good mores. Not only is it worthy men alone who know how to administer laws, but basically it is only honorable men who know how to obey them. Anyone who manages to defy remorse will not long delay in defying corporal punishment, which is a less rigorous and less continuous chastisement and one from which there is at least the hope of escaping. And whatever precautions are taken, those who are only waiting for impunity to do evil, will hardly lack means of eluding the law or escaping a penalty. Then, since all the private interests combine against the general interest which is no longer that of anyone, public vices have more force to weaken the laws than the laws have to repress vices. And the corruption of the people and leaders finally extends to the government, however wise it may be. The worst of all abuses is to obey the laws in appearance only to break them in fact with safety. Soon the best laws become the most pernicious. It would be a hundred times better if they did not exist; it would be one resource that would still exist when no others remain. In such a situation, it is useless to add edicts upon edicts, regulations upon regulations. All that merely serves to introduce other abuses without correcting those that already exist. The more you multiply laws, the more contemptible you make them; and all the overseers you institute are merely new lawbreakers destined to share with the old ones or do their plundering separately. Soon the price of virtue becomes that of brigandage. The vilest men are the best accredited. The greater they are, the more contemptible they are. Their infamy manifests itself in their dignities, and they are dishonored by their honors. If they buy the votes

of leaders or the protection of women, it is so they themselves can sell justice, duty, and the State. And the people, who does not see that its own vices are the primary cause of its misfortunes, mutters and cries in despair, "All my ills come only from those whom I pay to protect me."

Then, in place of the voice of duty that no longer speaks in men's hearts, leaders are forced to substitute the cry of terror or the lure of an apparent interest by which they deceive their creatures. Then there must be recourse to all the small, despicable tricks they call *maxims of State* and *cabinet secrets*. All the vigor that remains in the government is used by its members to ruin and replace each other, while business matters remain neglected or are taken up only as personal interest demands and according to its direction. Finally, the whole skill of these great politicians is so to hypnotize those whose help they need that each person believes he is working for his own interest while working for *theirs*. I say theirs if indeed it is in fact the true interest of leaders to annihilate the people in order to subject it, and to ruin their own goods in order to secure possession of them.

But when citizens love their duty, and when the trustees of public authority sincerely apply themselves to encouraging this love through their example and by their efforts, all difficulties vanish and administration becomes so easy that it can do without that shady art whose baseness produces its secrecy. Those ambitious minds, so dangerous and so admired, all those great ministers whose glory is combined with the people's misfortunes, are no longer missed. Good public mores replace the genius of leaders. And the longer virtue reigns, the less necessary are talents. Ambition itself is better served by duty than by usurpation. The people, convinced that its leaders work only for its happiness, spares them by its deference from working to strengthen their power; and history shows us in a thousand places that the authority the people accords to those it loves and by whom it is beloved, is a hundred times more absolute than all the tyranny of usurpers. This does not mean that the government ought to fear using its power, but rather that it should only use it in a legitimate manner. History provides a thousand examples of ambitious or pusillanimous leaders, who have been lost through softness or pride, but none of someone who fared badly because he was only equitable. But negligence should not be confused with moderation, nor gentleness with weakness. To be just, it is necessary to be severe. Tolerating wickedness that one has the right and the power to repress is being wicked oneself.[19]

It is not enough to say to citizens, be good. They must be taught to be so, and example itself, which is the first lesson in this regard, is not the only means that must be used. Patriotism is the most effective, for as I have already said, every man is virtuous when his private will conforms on all matters with the general will, and we willingly want what is wanted by the people we love.

It seems that the sentiment of humanity evaporates and weakens as it is extended over the whole world, and that we can't be moved by calamities in Tartary or Japan as we are by those of a European people. Interest and commiseration must in some way be confined and compressed to be activated. Now since this inclination in us can only be useful to those with whom we have to live, it is good that the feeling of humanity, concentrated among fellow citizens, gains fresh force through the habit of seeing one another and through the common interest that unites them. It is certain that the greatest miracles of virtue have been produced by patriotism. By combining the force of egoism with all the beauty of virtue, this sweet and ardent sentiment gains an energy which, without disfiguring it, makes it the most heroic of all the passions. It produced the many immortal actions whose splendor dazzles our weak eyes, and the many great men whose antique virtues have been thought to be fables ever since patriotism has been turned to derision. We should not be surprised by this. The ecstasies of tender hearts appear as so many chimeras to anyone who has not experienced them. And love of the homeland, a hundred times more ardent and delightful than that of a mistress, likewise cannot be imagined except by being felt. But it is easy to notice, in all hearts that are inflamed by it and in all the actions it inspires, that fiery and sublime ardor which even the purest virtue lacks when separated from this love. Let us dare to compare Socrates himself to Cato. One was more a philosopher, the other more a citizen. Athens was already lost, and Socrates had no homeland other than the whole world. Cato always carried his homeland in the bottom of his heart; he lived for it alone and could not outlive it. Socrates' virtue is that of the wisest of men. But compared to Caesar and Pompey, Cato seems like a God among mortals. One teaches a few private individuals, combats the Sophists, and dies for the truth; the other defends the State, freedom, and the laws against the conquerors of the world, and finally takes leave of the earth when he no longer sees any homeland to serve.[20] A worthy student of Socrates would be the most virtuous of his contemporaries; a worthy emulator of Cato would be the greatest. The former's own virtue would constitute his happiness; the latter would seek his happiness in that of all others. We would be taught by one, but ruled by the other, and that alone would determine our preference. For a people of wise men has never been formed, but it is not impossible to make a people happy.

Do we want peoples to be virtuous? Let us then start by making them love their homeland. But how are they to love it if the homeland is nothing more for them than for foreigners, and accords them only what it cannot refuse to anyone? The problem would be still worse if they did not even enjoy civil safety there, and if their goods, life, or freedom were at the discretion of powerful men, without its being either possible or permitted for them to dare invoke the laws. Then, subjected to the duties of the civil state without even

enjoying the rights of the state of nature and without being able to use their force to defend themselves, they would consequently be in the worst possible condition for free men, and the word *homeland* could have only an odious or ridiculous meaning for them. It is not credible that an arm can be harmed or cut off without pain being transmitted to the head. And it is no more credible that the general will would allow any member of the State, whoever he might be, to injure or destroy another, than it is that the fingers of a reasoning man would put out his own eyes. Private safety is so closely connected to the public confederation that were it not for the consideration owed to human weakness, this convention would be dissolved by right if a single citizen perished who could have been saved; if a single one were wrongly held in prison; and if a single suit were lost due to evident injustice. For when the fundamental conventions are violated, one can no longer see what right or what interest could maintain the people in the social union, unless it is restrained by force alone, in which case the civil state is dissolved.

Indeed, isn't the body of the nation under an engagement to provide for the preservation of the humblest of its members with as much care as for all the others? And is the safety of a citizen any less the common cause than that of the whole State? If someone tells us it is good that a single man should perish for all, I shall admire this adage from the lips of a worthy and virtuous patriot who consecrates himself willingly and out of duty to die for the safety of his country. But if this means that the government is allowed to sacrifice an innocent man for the safety of the multitude, I hold this maxim to be one of the most execrable that tyranny ever invented, the most false that might be proposed, the most dangerous that might be accepted, and the most directly opposed to the fundamental laws of society.[21] Rather than that one ought to perish for all, all have engaged their goods and their lives for the defense of each one among them, in order that private weakness always be protected by public force, and each member by the whole State. After conjecturing the subtraction of one individual after another from the people, urge the partisans of this maxim to explain more clearly what they mean by *the body of the State,* and you will see that they finally reduce it to a small number of men who are not the people, but the officers of the people, and who, having obligated themselves by a personal oath to perish for its safety, claim to prove thereby that it is the people who ought to perish for theirs.

Do you want to find examples of the protection that the State owes to its members, and of the respect it owes to their persons? These must be sought only in the most illustrious and courageous nations on earth, and there are scarcely any except free peoples who know the worth of a man. It is known how great the perplexity of the entire republic was in Sparta when a matter of punishing a guilty citizen arose. In Macedonia, the life of a man was held to be so important that even in all his greatness, Alexander—that powerful monarch—would not have dared to put a criminal Macedonian to death in cold blood unless the accused had appeared to defend himself before his

fellow citizens and had been condemned by them. But the Romans stood out over all the peoples of the earth for the deference of the government toward private individuals and for its scrupulous attention to the inviolable rights of all members of the State. Nothing was as sacred as the life of the simple citizens. No less than the assembly of the entire people was necessary to condemn one of them. Neither the senate itself nor the consuls in all their majesty had the right to do this; and among the world's most powerful people, the crime and punishment of a citizen was a public desolation. It also appeared so brutal to shed blood for any crime whatever, that by the law *Porcia,* the death penalty was commuted to exile for those who would want to outlive the loss of such a sweet homeland. In Rome and in the armies, everything betokened that love of the citizens for one another and that respect for the name Roman which aroused courage and animated the virtue of anyone who had the honor to bear it. The hat of a citizen freed from slavery or the civic crown of one who had saved another's life were the things viewed with the greatest pleasure at victory celebrations. And it is notable that of the crowns used in war to honor noble actions, only the civic crown and that of the victors were made of grass and leaves; all the others were merely gold. Thus was Rome virtuous, and became the mistress of the world. Ambitious leaders! A shepherd governs his dogs and his flocks, yet he is the humblest of men. If it is noble to command, it is when those who obey us can do us honor. Therefore, respect your fellow citizens, and you will make yourselves respectable. Respect freedom, and your power will be increased daily. Never exceed your rights, and soon they will be limitless.

Let the homeland, then, be the common mother of the citizens; let the advantages they enjoy in their country endear it to them; let the government leave a large enough share of the public administration to them so that they feel at home; and let the laws be in their sight only guarantees of the common freedom. These rights, noble as they are, belong to all men. But without appearing to attack them directly, the bad will of leaders easily reduces their effect to zero. Law that is abused serves the powerful simultaneously as an offensive weapon and as a shield against the weak, and the pretext of the public good is always the most dangerous scourge of the people. What is most necessary and perhaps most difficult in the government is rigorous integrity in providing justice for all, and especially protecting the poor against the tyranny of the rich. The greatest harm is already done when there are poor men to protect and rich ones to restrain. It is only on moderate wealth that the full force of the laws is exerted. Laws are equally powerless against the treasures of the rich and against the indigence of the poor; the first eludes them, the second escapes them; one breaks the net and the other slips through.

It is, therefore, one of the government's most important tasks to prevent extreme inequality of wealth, not by taking treasures away from those who possess them, but by removing the means of accumulating them from

everyone; nor by building poorhouses, but by protecting citizens from becoming poor. People unequally distributed over the territory and crowded into one place while others become depopulated; arts of pleasure and pure invention favored at the expense of useful and difficult trades; agriculture sacrificed to commerce; the tax-farmer made necessary by bad administration of the State revenues; venality, finally, pushed to such excess that reputation is measured in coin and the virtues themselves are sold for money: these are the most obvious causes of opulence and indigence, of the substitution of private interest for the public interest, of the mutual hate of citizens, of their indifference to the common cause, of the corruption of the people, and of the weakening of all the mechanisms of the government. Such are, consequently, the evils that are hard to cure once they make themselves felt, but which a wise administration should prevent in order to maintain, along with good mores, respect for the laws, patriotism, and a vigorous general will.

But all these precautions will be insufficient without going still further. I end this part of the public *economy* where I ought to have started it. The homeland cannot subsist without freedom, nor freedom without virtue, nor virtue without citizens. You will have all these if you train citizens; without doing so, you will have only wicked slaves, beginning with the leaders of the State. Now training citizens is not accomplished in a day, and to have them as men they must be taught as children. Someone may tell me that anyone who has men to govern should not seek, outside of their nature, a perfection of which they are not capable; that he should not want to destroy their passions, and that the execution of such a project would not be any more desirable than it is possible. I will agree the more strongly with all this because a man who had no passions would certainly be a very bad citizen. But it must also be agreed that although men cannot be taught to love nothing, it is not impossible to teach them to love one thing rather than another, and what is truly beautiful rather than what is deformed. If, for example, they are trained early enough never to consider their persons except as related to the body of the State, and not to perceive their own existence, so to speak, except as part of the State's, they will eventually come to identify themselves in some way with this larger whole; to feel themselves to be members of the homeland; to love it with that delicate sentiment that any isolated man feels only for himself; to elevate their soul perpetually toward this great object; and thereby to transform into a sublime virtue this dangerous disposition from which all our vices arise. Not only does philosophy demonstrate the possibility of these new directions, but history provides a thousand stunning examples. If they are so rare among us, it is because no one cares whether there are any citizens, and still less does anyone think of doing something early enough to form them. It is too late to change our natural inclinations when they have become entrenched, and habit has been combined with egoism. It is too late to draw us out of our ourselves once the *human self*

concentrated in our hearts has acquired that contemptible activity that aborbs all virtue and constitutes the life of petty souls. How could patriotism develop in the midst of so many other passions stifling it? and what is left for fellow citizens of a heart already divided among greed, a mistress, and vanity?

It is from the first moment of life that one must learn to deserve to live; and since one shares the rights of citizens at birth, the instant of our birth should be the beginning of the performance of our duties. If there are laws for maturity, there should be some for childhood that teach obedience to others. And as each man's reason is not allowed to be the unique arbiter of his duties, it is even less appropriate to abandon the education of children to the enlightenment and prejudices of their fathers in that it matters even more to the State than to fathers. For according to the natural course of events, the father's death often deprives him of the final fruits of this education, but the homeland sooner or later feels its effects; the State remains, and the family is dissolved. And if the public authority, by assuming the fathers' place and taking charge of this important function, acquires their rights by fulfilling their duties, the fathers have all the less cause for complaint because in this regard they are actually only changing name, and will have in common, under the name citizens, the same authority over their children that they exercised separately under the name *fathers*, and will be no less well obeyed when they speak in the name of the law than they were when they spoke in the name of nature. Public education, under rules prescribed by the government and magistrates established by the sovereign, is therefore one of the fundamental maxims of popular or legitimate government. If children are raised in common in the midst of equality, if they are imbued with the laws of the State and the maxims of the general will, if they are taught to respect them above all things, if they are surrounded by examples and objects that constantly remind them of the tender mother who nourishes them, her love for them, the inestimable benefits they receive from her, and what they owe in return, there can be no doubt that they will learn from this to love one another as brothers, never to want anything except what the society wants, to substitute the actions of men and citizens for the sterile, empty babble of sophists, and one day to become the defenders and fathers of the homeland whose children they will have been for so long.

I shall not discuss the magistrates destined to preside over this education, which is certainly the State's most important business. It is apparent that if such marks of public confidence were lightly accorded, if this sublime function were not—for those who had worthily fulfilled all the others—the reward for their labors, the honorable and sweet repose of their old age, and the height of all honors, the whole undertaking would be useless, and the education unsuccessful. For everywhere that the lesson is not supported by authority and the precept by example, teaching is fruitless, and virtue itself loses its credit in the mouth of one who does not practice it. But when illus-

trious warriors, bent by the weight of their laurels, preach courage; when upright magistrates, grown gray in dignity and at the tribunals, teach justice; all of them will train their virtuous successors, and will transmit from age to age to the generations that follow the experience and talents of leaders, the courage and virtue of citizens, and the emulation common to all of living and dying for the homeland.

I know of only three peoples who in former times practiced public education: namely the Cretans, the Lacedemonians, and the ancient Persians. Among all three it was the greatest success, and produced marvels among the latter two. When the world became divided into nations too large to be well governed, this method was no longer practicable; and other reasons that the reader can easily see have also prevented its being tried by any modern people. It is a very remarkable thing that the Romans could do without it. But Rome was for five hundred years a continual miracle that the world cannot hope to see again. The Romans' virtue, engendered by a horror of tyranny and the crimes of tyrants and by innate patriotism, turned all their homes into as many schools for citizens; and the unlimited power of fathers over their children placed so much severity in the private domain that the father—more feared than magistrates—was the censor of mores and avenger of the laws in his domestic tribunal.[22]

In this way, an attentive and well-intentioned government, ceaselessly careful to maintain or revive patriotism among the people, prevents from afar the evils that sooner or later result from the indifference of citizens concerning the fate of the republic, and confines within narrow limits that personal interest which so isolates private individuals that the State is weakened by their power and cannot hope to gain anything from their goodwill. Wherever the people loves its country, respects the laws, and lives simply, little else remains to do to make it happy. And in public administration, where fortune plays less of a role than in the fate of private individuals, wisdom is so close to happiness that these two objects are indistinguishable.

III. It is not enough to have citizens and protect them; it is also necessary to think about their subsistence. And providing for the public needs is an evident consequence of the general will and third essential duty of the government. This duty is not, it should be apparent, to fill the granaries of private individuals and dispense them from working, but rather to maintain abundance within their reach so that to acquire it, work is always necessary and never useless. It also extends to all the operations concerning the maintenance of the public treasury and the expenses of the public administration. Thus, after discussing the general *economy* in relation to the government of persons, it remains for us to consider it in relation to administration of goods.

This part offers no fewer difficulties to resolve or contradictions to overcome than the preceding one. It is certain that the right of property is the most sacred of all the rights of citizens, and more important in certain

respects than freedom itself, either because it is more closely connected with the preservation of life, or because, since goods are easier to usurp and more difficult to protect than one's person, greater respect should be accorded to what can more easily be stolen, or finally because property is the true basis of civil society and the true guarantee of the citizens' engagements. For if goods were not held accountable for persons, nothing would be so easy as to elude one's duties and scoff at the laws. On the other hand, it is no less certain that the maintenance of the State and the government requires costs and expenses. And since anyone who grants the end cannot refuse the means, it follows that the members of the society should contribute some of their goods to its upkeep. Moreover it is difficult to assure the property of private individuals on the one hand without attacking it on the other, and it isn't possible for all the regulations concerning inheritance, wills, and contracts not to constrain the citizens in certain respects regarding the disposition of their own goods, and consequently regarding their right of property.

But besides what I have already said about the harmony that prevails between the authority of the law and the freedom of the citizens, there is, in relation to the disposition of goods, one important remark to be made that overcomes many difficulties. It is, as Pufendorf has shown, that by the nature of the right of property, it does not extend beyond the life of the proprietor, and that the instant a man is dead, his goods no longer belong to him.[23] Thus prescribing to him the conditions under which he can dispose of them, although in appearance an impairment of his right, is in fact an extension of it.

In general, although the institution of the laws that regulate the power of private individuals in disposing of their own goods belongs to the sovereign alone, the spirit of these laws, which the government should follow in applying them, is that from father to son and kin to kin, the family's goods should leave the family and be alienated as little as possible. There is an obvious reason for this in favor of children, for whom the right of property would be quite useless if their father left them nothing, and who, moreover, having often contributed by their labor to the acquisition of the father's goods, are in their own name associated with his right. But another reason, more remote yet not less important, is that nothing is more pernicious for mores and for the republic than continual changes of status and fortune among the citizens—changes that are the proof and the source of a thousand disorders, that upset and confuse everything, and due to which, since those who have been raised for one thing find themselves destined for another, neither those who rise nor those who fall can adopt the maxims or enlightenment suited to their new status, much less fulfill its duties. I turn now to the topic of public finances.

If the people governed itself and there were nothing intermediary between the administration of the State and the citizens, they would only have to pay their shares as the occasion arose in proportion to the public

needs and the capacities of private individuals. And since no one would ever lose sight of the collection or use of State revenues, neither fraud nor abuse could slip into their handling. The State would never be encumbered by debts, nor the people overwhelmed by taxes; or at least the assurance of its proper use would console the people for the hardship of the taxation. But things cannot be thus, and however limited a State's territory may be, its civil society is always too numerous to be able to be governed by all its members. The public revenues must necessarily pass through the hands of the leaders who, besides the interest of the State, all have their private interest, which is not the last to be heeded. On the other hand, the people, perceiving the greediness of leaders and their extravagant expenses rather than the public needs, protests at being divested of necessities to provide superfluities for others. And once these maneuvers have embittered it to a certain degree, the most upright administration could not succeed in reestablishing confidence. Then if contributions are voluntary, they are unproductive; if they are forced, they are illegitimate; and the difficulty of a just and wise *economy* lies in the cruel alternative of letting the State perish or attacking the sacred right of property which is its mainstay.

The first thing that the founder of a republic ought to do after the establishment of the laws is to find capital sufficient for the upkeep of the magistrates and other officers, and for all public expenses. This capital is called *ærarium,* or the *public treasury,* if it is in money; the *public domain* if it is in land; and the latter is much preferable to the former for obvious reasons. Anyone who has given this matter enough thought can hardly have any other opinion than that of Bodin, who views public domain as the most honest and safe of all means of providing for the State's needs.[24] And it is notable that Romulus's first care in the division of land was to designate a third of it for this purpose. I admit that it is not impossible for the proceeds of a badly administered public domain to be reduced to nothing; but it is not of the essence of public domain to be badly administered.

Prior to any use of it, this capital ought to be assigned or accepted by the assembly of the people or Estates of the country, which should then determine its use. After this solemn ceremony which renders this capital inalienable, it changes its nature, so to speak, and its revenues become so sacred that diverting the smallest thing to the detriment of its purpose is not only the most infamous of all thefts, but a crime of high treason. It is a great dishonor for Rome that the integrity of the quaestor Cato was openly discussed, and that an Emperor rewarding a singer's talent with a few coins had to add that the money came from his family's goods and not from the State's. But if there are few men like Galba, where will we find Catos? And once vice is no longer a dishonor, what leaders will be scrupulous enough to abstain from touching the public revenues left to their discretion, and not soon deceive themselves by pretending to confuse their vain and scandalous dissipations with the glory of the State, and the means of extending their authority

with those of increasing its power? It is above all in this delicate part of administration that virtue is the only effective instrument and that the magistrate's integrity is the only check capable of restraining his greed. The books and all the records of administrators serve less to reveal their infidelities than to cover them up; and prudence is never as quick to imagine new precautions as is knavery to elude them. Therefore forget registers and papers, and place the finances in faithful hands; it is the only way to have them faithfully administered.

Once the public capital is established, the leaders of the State are by right its administrators; for this administration is a part of the government, always essential, although not always equally so. Its influence increases in proportion as that of other mechanisms diminishes, and it can be said that a government has reached the final degree of corruption when the only thing left of its vitality is money. Now since all governments tend continually to weaken, this reason alone shows why no State can subsist if its revenues do not increase constantly.

The first awareness of the necessity for this increase is also the first sign of internal disorder in the State. And the wise administrator, as he thinks of finding money to meet the present need, doesn't neglect to seek the ultimate cause of this new need, just as a sailor seeing water flood his ship doesn't forget, as he gets the pump into action, to find and plug the leak as well.

From this rule flows the most important maxim of the administration of finances, which is to work much more carefully to prevent needs than to increase revenues. However diligent one is, help that comes only after the harm is done, and more slowly, always leaves the State in distress. While the remedy for one difficulty is being worked out, another is already being experienced, and the resources themselves produce new difficulties. So that in the end the nation is overwhelmed with debts, the people is downtrodden, the government loses all its vigor and it no longer does much of anything with a great deal of money. I believe it was this great maxim, when well established, that gave rise to the marvels of the governments of antiquity, which did more with parsimony than ours with all their treasures. And it is from this, perhaps, that the common meaning of the word *economy* is derived, referring more to the wise handling of what one has than to the means of acquiring what one does not have.

Independently of the public domain which yields to the State in proportion to the probity of those who administer it, if one had sufficient knowledge of the whole force of the general administration, especially when it is limited to legitimate means, one would be amazed at the resources leaders have for anticipating all public needs without touching the goods of private individuals. As they are the masters of all the State's commerce, nothing is easier for them than to direct it in a manner that provides for everything, often without appearing to have any hand in it. The distribution of foodstuffs, money, and merchandise in just proportions according to time and place is

the true secret of finances, and the source of their abundance, provided that those who administer them know how to project their views far enough in advance and on occasion accept an apparent and proximate loss in order actually to obtain immense profits at a future time. When a government pays subsidies, rather than to be paid, for the exportation of wheat in years of plenty and for its importation in years of scarcity, one needs to have such facts before one's eyes to think them true; and they would be treated as pure fiction if they had occurred long ago. Suppose that to prevent scarcity in bad years, the establishment of public storehouses was proposed. In many countries wouldn't the upkeep of such a useful establishment serve as the pretext for new taxes? In Geneva, such granaries—established and maintained by a wise administration—provide a public resource in bad years and the principal revenue of the State at all times. *Alit et Ditat*[25] is the noble and just inscription one reads on the facade of the building. In order to present here the economic system of a good government, I have often looked toward the system of that republic, happy thus to find in my homeland the example of wisdom and happiness I would like to see prevail in all countries.

If one examines how the needs of a State grow, this will often be found to happen in about the same way as it does for private individuals, less by true necessity than by an expansion of frivolous desires, and often expenses are increased solely to provide a pretext for increasing income. Thus the State would sometimes profit from not being rich, and such apparent wealth is basically a greater burden than poverty itself would be. There may be the hope, it is true, of holding peoples in stricter dependence by giving them with one hand what has been taken away from them with the other; and this was the policy Joseph used with the Egyptians. But this vain sophism is all the more fatal to the State in that the money does not return to the same hands from which it came, and that maxims of this sort only enrich idlers with spoils taken from useful men.

The taste for conquests is one of the most obvious and dangerous causes of this increase in needs. This taste, often engendered by another type of ambition than the one it seems to represent, is not always what it appears to be; and its true motive is not so much the apparent desire for the growth of the nation as the hidden desire to increase the internal authority of the leaders, with the help of an increased number of troops and by means of the diversion that the war's objectives create in the minds of the citizens.

What is at least very certain is that nothing is as downtrodden or miserable as conquering peoples, and even their successes only increase their miseries. Even if history did not teach us so, reason would be enough to show us that the larger the State, the heavier and more burdensome, in proportion, will become its expenses. For all the provinces must furnish their quota of the expenses of the general administration, and beyond that each province must spend the same amount for its own particular administration as if it were independent. Add the fact that all fortunes are made in one place and

consumed in another, which soon breaks the equilibrium between what is produced and what is consumed, and impoverishes a great deal of countryside in order to enrich a single town.

Another source of the increase of public needs is related to the preceding one. A time may come when the citizens, no longer considering themselves interested in the common cause, would cease to be the defenders of the homeland, and when magistrates would prefer to command mercenaries rather than free men, if only in order to use the former at the expedient time and place to subjugate the latter all the better. Such was the state of Rome at the end of the Republic and under the Emperors. For all the victories of the first Romans, like those of Alexander, had been won by brave citizens who knew how to shed blood for the homeland if necessary, but who never sold it.[26] Marius was the first, in the war of Jugurtha, who dishonored the legions by introducing freedmen, vagabonds, and other mercenaries. Having become enemies of the peoples for whose happiness they were responsible, tyrants established standing armies, in appearance to repress foreigners and in fact to oppress the inhabitants. In order to raise these armies, it was necessary to take farmers away from the land, so that the lack of farmers lowered the quantity of foodstuffs and the cost of maintaining them introduced taxes that increased food prices. This first disorder caused the people to protest. To repress them it was necessary to multiply the troops, and consequently indigence. And the more despair increased, the more necessary it was to increase it further to prevent its effects. On the other hand, these mercenaries, whose worth could be judged by the price at which they sold themselves, were proud of their debasement, scorned the laws by which they were protected and their brothers whose bread they ate, and thought it more honorable to be Caesar's satellites than Rome's defenders. Committed to blind obedience, their job was to hold a dagger over their fellow citizens, ready to murder all at the first signal. It would not be difficult to show that this was one of the main causes of the ruin of the Roman Empire.

The invention of artillery and fortifications has, in our times, forced the sovereigns of Europe to reestablish the use of standing armies to defend their fortresses. But although the motives are more legitimate, it is to be feared that the effect will be equally pernicious. It is no less necessary to depopulate the countryside to raise armies and set up garrisons. To maintain them, it is no less necessary to oppress the peoples. And in recent times, these dangerous establishments have been growing so rapidly in all our countries that one can foresee only the future depopulation of Europe and, sooner or later, the ruin of the peoples who inhabit it.

However this may be, it should be apparent that such institutions necessarily upset the true economic system, which derives the principal revenue of the State from the public domain, and leave only the unfortunate resource of subsidies and taxes, which remain for me to discuss.

It is necessary to remember, at this point, that the basis of the social

compact is property, and its first condition that each person continue in the peaceful enjoyment of what belongs to him. It is true that by the same treaty, each person obligates himself, at least tacitly, to pay his share of the public needs. But since this engagement cannot undermine the fundamental law and supposes that the taxpayers acknowledge the evidence of need, it is apparent that in order to be legitimate, this payment ought to be made willingly. Not through a private will, as if it were necessary to have each citizen's consent and he only ought to provide what he pleases—which would be directly contrary to the spirit of the confederation—but through a general will, by majority vote, and based on proportional rates that leave no room for an arbitrary assessment of taxes.

This truth—that taxes cannot be legitimately established except by the consent of the people or its representatives—has been generally acknowledged by all the philosophers and legal theorists who have acquired any reputation in matters of political right, including Bodin himself.[27] While a few have established maxims that appear contrary, it is easy to see the private motives that inspired them to do so, they attach so many conditions and restrictions that it all comes down to exactly the same thing. For whether the people can refuse or the sovereign should not require is indifferent in terms of right. And if it is only a question of force, it is completely useless to examine what is or is not legitimate.

The contributions levied from the people are of two kinds: some on property, which are collected on the basis of things, and others personal, which are paid by the head. Both are given the names *taxes* or *subsidies*. When the people sets the total amount it gives, it is called a *subsidy;* when it gives all the proceeds of a form of taxation, it is called a *tax*. In the book *The Spirit of the Laws,* one finds that assessment by head is more in keeping with servitude, and property taxation more suited to freedom.[28] That would be incontestable if all shares by head were equal. For nothing would be as disproportionate as such taxation, and the spirit of freedom consists above all in the precise respecting of proportions. But if taxation by head is exactly proportionate to the means of private individuals, as the French *capitation* could be, and thus has simultaneously both a property and a personal basis, it is the most equitable and consequently the most suited to free men. At first these proportions appear very easy to observe, because being relative to each person's status in the world, the indications are always public. But besides the fact that greed, reputation, and fraud know how to leave no overt traces, it is rare that all the elements that should be included in these calculations are taken into account. First, one should consider the relationship of quantities, according to which—all other things being equal—someone who has ten times more goods than another should pay ten times more. Second, the relationship of use, that is the distinction between the necessary and the superfluous. Someone who has only the bare necessities should pay nothing at all; taxation on someone who has superfluities can, if need be, approach

the totality of what exceeds his necessities. To this he will reply that considering his rank, what would be superfluous for an inferior man is necessary for him. But this is a lie. For a nobleman has two legs just like a cowherd, and has only one stomach as he does. Moreover, this so-called necessity is so far from necessary to his rank that if he had the sense to renounce it for a praiseworthy cause, he would be all the more respected. The people would bow before a minister who would go to the council on foot because he had sold his carriages when the State was in urgent need. Finally, the law does not require magnificence of anyone, and decorum never provides a reason to go against right.

A third relationship that is never taken into account, but that should always come first, is that of the utility each person derives from the social confederation, which strongly protects the immense possessions of the rich and barely lets a poor wretch enjoy the hut he built with his own hands. Aren't all the advantages of society for the powerful and the rich? Aren't all the lucrative jobs filled by them alone? Aren't all the pardons and all the exemptions reserved for them? And isn't public authority entirely in their favor? When an esteemed man steals from his creditors or cheats in other ways, isn't he always sure of impunity? The beatings he gives, the violent actions he commits, even the murders and assassinations he is guilty of, aren't these affairs passed over in silence and forgotten after six months? If this same man is robbed, the forces of law and order go into action immediately, and woe to the innocents whom he suspects. Does he have to travel through dangerous places? He is escorted through the countryside. Does the axle of his carriage break? Everyone rushes to his aid. Is it noisy near his door? He says a word and all is silent. Does the crowd annoy him? He gives a sign and everything becomes orderly. Is a cart driver in his way? His men are ready to beat him. And fifty honest pedestrians going about their business will be trampled before an idle good-for-nothing's coach is slowed down. All these attentions don't cost him a penny; they are the rich man's right, and not the price of riches. How different is the picture of the poor man! The more humanity owes him, the more society refuses him. All doors are closed to him, even when he has the right to make them open. And if he sometimes obtains justice, it is with greater difficulty than another would obtain pardon. If there are corvées to do, troops to be raised, he is given preference. In addition to his own burden, he always bears the one from which his richer neighbor has the influence to be exempted. At the slightest accident that happens to him, everyone abandons him. If his poor cart tips over, far from being helped by anyone, I consider him lucky if he avoids the passing insults of the flippant servants of some young duke. In short, all free assistance flees him when needed, precisely because he has nothing with which to pay for it. And I consider him a lost man if he has the misfortune to have an honest soul, an attractive daughter, and a powerful neighbor.

Another point, no less important to note, is that the losses of poor men

are far less reparable than those of the rich, and that the difficulty of acquiring always increases in proportion to need. Nothing produces nothing; it is as true in business as in physics. Money breeds money, and the first gold *pistole* is sometimes harder to earn than the second million. But it goes even further. All that the poor man pays is forever lost to him, and remains in, or returns to, the hands of the rich. And since the proceeds of taxes go sooner or later only to those men who take part in the government or who are close to it, they have—even in paying their share—an evident interest in increasing taxes.

Let us summarize in a few words the social compact of the two estates. *You need me, for I am rich and you are poor, so let us come to an agreement between ourselves. I shall permit you to have the honor of serving me on condition that you give me what little you have for the trouble I shall take to command you.*

If all these things are carefully combined, it will be found that in order to impose taxation in an equitable and truly proportional way, assessment should not be made solely in proportion to the goods of taxpayers, but in a proportion composed of the difference between their condition and the superfluity of their goods—a very important and very difficult calculation made daily by multitudes of honest clerks who know arithmetic, but which a Plato or a Montesquieu would only have dared to undertake with trembling and after imploring heaven for enlightenment and integrity.

Another drawback of personal taxation is that it is felt as too heavy a burden and is levied too harshly, which doesn't prevent it from being subject to many unpaid debts, because it is easier to hide one's head than one's possessions from the tax rolls and from prosecution.

Of all other kinds of assessment, the land tax or taille on real estate has always been thought most advantageous in countries where more consideration is given to the amount of proceeds and the certainty of payment than to the least annoyance for the people. Some have even dared to say that the peasant must be burdened to rouse him from his laziness, and that he would do nothing if he had nothing to pay. But experience among all the people of the world belies this ridiculous maxim. It is in Holland and England, where the farmer pays very little, and above all in China, where he pays nothing, that land is best cultivated. On the contrary, everywhere that the farmer is assessed in proportion to the yield of his field, he lets it lie fallow or reaps only exactly what he needs to live. This is because for anyone who loses the fruit of his labor, it is a gain to do nothing; and placing a fine on work is a strange way to abolish laziness.

Taxation on land or on wheat, especially when it is excessive, results in two disadvantages so terrible that they eventually will depopulate or ruin all countries in which it is established.

The first comes from the lack of circulation of currency, for commerce and industry attract all the money from the countryside to the capitals, and since the tax destroys any proportion that might still exist between the

farmer's needs and the price of his wheat, money always comes in and never returns. The richer the town, the more miserable the country. The proceeds from the taille pass from the hands of the prince or tax-farmer into those of artists and merchants; and the grower, who never receives any but the smallest part, is finally exhausted by always paying equally and always receiving less. How could a man live if he had only veins and no arteries, or if his arteries only carried his blood to within several inches of his heart? Chardin says that in Persia the king's duties on foodstuffs are also paid in foodstuffs. This usage, which Herodotus indicates was practiced long ago in that same country until the time of Darius, can prevent the evil of which I have just spoken.[29] But unless in Persia the intendants, directors, clerks, and storehouse guardians are a different kind of people than everywhere else, I find it hard to believe that the least bit of all these products ever reaches the king, that the wheat doesn't rot in all the granaries, and that fire doesn't consume most of the storehouses.

The second disadvantage comes from an apparent advantage, which allows problems to grow worse before they are noticed. This is that wheat is a food whose value is not raised by taxes in the countries that produce it, so that despite its absolute necessity, the quantity is diminished without an increase in price. As a result, many people die of hunger although wheat continues to be cheap, and the farmer alone bears the burden of the tax, which he has been unable to pass on in the selling price. It must be carefully noted that the same reasoning should not be applied to the taille on real estate as to duties on all merchandise whose price is thereby increased and which are therefore paid not so much by the merchants as by the buyers. For these duties, however large they may be, are nevertheless voluntary, and are only paid by the merchant in proportion to the merchandise he buys. And since he buys only in proportion to his sales, he dictates the law to private individuals. But the farmer who, whether he sells or not, is constrained to pay a set price for the land he cultivates, is not the master to wait until the market value of his produce attains the price he wants; and even if he weren't to sell it to support himself, he would be forced to sell it to pay the taille, so that sometimes it is the enormity of the assessment that maintains the produce at a very low price.

Notice, further, that the resources of commerce and industry, far from making the taille more bearable by an abundance of money, only render it more burdensome. I shall not dwell on a very obvious point, namely that although a greater or lesser quantity of money in a State can give it more or less credit externally, it in no way alters the real wealth of the citizens, and does not make them any more or less well off. But I shall make two important remarks. One, that unless the State has surplus foodstuffs and the abundance of money comes from the foreign sale of these, the commercial towns are the only places to enjoy this abundance, and the peasant only becomes relatively poorer. The other, that since the price of all things rises as money multiplies,

taxes too must rise proportionately, so that the farmer finds himself more burdened without having more resources.

It should be apparent that the taille on lands is actually a tax on their product. While everyone agrees that nothing is so dangerous as a tax on wheat paid by the buyer, how can it be ignored that the evil is a hundred times worse when this tax is paid by the grower himself? Isn't this attacking the source of the State's subsistence? Isn't it working as directly as possible to depopulate the country, and consequently to ruin it in the long run? For there is no worse scarcity for a nation than that of men.

Only the true statesman is able to raise his sights above the financial objective in setting the tax base, to transform burdensome obligations into useful regulations of public policy, and to make the people wonder whether such establishments have not had as their end the good of the nation rather than the proceeds of taxation.

Duties on the importation of foreign merchandise which the inhabitants are eager to have but which the country does not need; on the exportation of domestic merchandise of which the country has no excess and which foreigners cannot do without; on the productions of frivolous and overly lucrative arts; on the entry into towns of things that are pure amenities and in general on every object of luxury will all fulfill this double purpose. Such taxes, which help the poor and burden the rich, must be used to prevent the continual increase of inequality of fortunes, the subjection to the rich of a multitude of workers and useless servants, the multiplication of idle people in towns, and the desertion of the countryside.

It is important to establish a proportion between the price of things and the duty to be paid on them such that the greediness of private individuals is not too tempted to fraud by the size of profits. Ease of contraband must also be prevented by giving preference to merchandise that is the least easy to hide. Finally, it is appropriate for the tax to be paid by the consumer of the taxed article rather than by the seller, who would have more temptations and means to use fraud due to the number of duties charged to him. This is the normal practice in China, the country in the world where taxes are the heaviest and the best paid. The merchant pays nothing. The buyer alone pays the duty, without giving rise either to protest or sedition, because since the vital foodstuffs, such as rice and wheat, are absolutely exempt, the people is not downtrodden and the tax falls only on those who are well-to-do. Moreover, all these precautions should not be dictated so much by fear of contraband as by the attention the government should give to protecting private individuals from the seduction of illegitimate profits which, after creating bad citizens, would not be long in turning them into dishonest people.

Let high taxes be placed on liveries, on carriages, on mirrors, chandeliers, and furnishings, on cloth and gilding, on the courtyards and gardens of mansions, on theatrical performances of all kinds, on the idle professions

such as those of buffoons, singers, or actors, and in short on that mass of objects of luxury, diversion, and idleness that are visible to all, and that can scarcely be hidden because their only use is display and they would be useless if they were not seen. There is no need to worry that the proceeds of such taxes would be unpredictable because they are only based on things that are not absolute necessities. It is a great misunderstanding of men to believe that once seduced by luxury, they can ever renounce it. They would a hundred times sooner renounce necessities, and would prefer to die of hunger rather than of shame. The increased expense will merely be a new reason to sustain it, when the vanity of displaying opulence will benefit from both the price of the object and the expense of taxation. As long as there are rich men, they will want to distinguish themselves from the poor; and the State could not create a less burdensome nor more secure revenue than one based on this distinction.

For the same reason, industry would not suffer in the least from an economic order that enriched public finances, revived agriculture by relieving the farmer, and gradually brought all fortunes closer to that moderation that creates the true force of a State. It could happen, I admit, that these taxes might contribute to making some fashions disappear more rapidly. But this would never occur without the substitution of others from which the worker would profit without any loss to the public treasury. In short, one of two things will happen if we suppose that the government's tendency is constantly to place all taxation on the surplus of wealth. Either the rich will renounce their superfluous expenses in favor of useful ones which will redound to the State's profit. In that case the tax base will have produced the effect of the best sumptuary laws, the expenses of the State will necessarily have diminished along with those of private individuals, and the public treasury could not thereby receive any less without having still less to pay out. Or, if the rich do not diminish their extravagances, the public treasury will have, in the proceeds from taxes, the resources it sought to provide for the real needs of the State. In the first case, the public treasury is enriched by all the reductions in its expenses; in the second, it is likewise enriched by the frivolous expenses of private individuals.

Let us add to all this an important distinction of political right, to which governments, anxious to do everything by themselves, should pay much attention. I have said that since personal taxation and taxes on absolute necessities directly attack the right of property, and consequently the true basis of political society, they are always subject to dangerous consequences if they are not established with the express consent of the people or its representatives.[30] The same does not hold true for duties on things whose use can be forbidden. For then, since the private individual is not absolutely constrained to pay, his contribution can be considered voluntary. So that the private consent of each of the taxpayers replaces the general consent, and even presupposes it in a way. For why would the people be opposed to the

assessment of any tax that falls only on anyone who is willing to pay it? It appears certain to me that whatever is neither proscribed by the laws nor contrary to the mores, and that the government can forbid, it can permit subject to the payment of a duty. If, for example, the government can forbid the use of carriages, it can with all the more reason impose a tax on carriages, which is a wise and useful way to blame their use without ending it. Then the tax can be considered as a kind of fine, whose proceeds compensate for the abuse it punishes.

Someone may object that since those whom Bodin calls *imposers*,[31] that is those who impose or invent the forms of taxation, are in the class of the rich, they will not take care to spare others at their own expense and burden themselves in order to relieve the poor. But such ideas must be rejected. If in each nation those to whom the sovereign commits the government of the people were its enemies by definition, there would be no point in seeking what these men should do to make the people happy.

EDITOR'S NOTES

[1]Originally an article in the *Encyclopédie*, Vol. V, pp. 337–349 (which appeared in November 1755), this text was subsequently published—apparently without Rousseau's consent—as *Discourse on Political Economy* (Geneva; Emanuel Du-Villard, 1758). It is generally assumed that Rousseau wrote it after completing the *Second Discourse* in 1754. The notebook containing Rousseau's fragmentary first draft has been deciphered and published (Launay, II, 294–305). Both a citation in this manuscript (Ibid., p. 295, note 152) and explicit references in the final version (see editorial notes 9 and 12 below) indicate that Rousseau knew Diderot's article on *Natural Right*; Diderot's concept of a "general will of the human species" thus seems to have inspired both *Political Economy* and *Geneva Manuscript*. But whereas the latter text explicitly criticizes Diderot's use of the term "general will" (see *Geneva Ms*, I, ii, and editorial notes 8–11), here Rousseau merely accepts the idea of a "general will" and adapts it to his purpose. As Derathé has noted, this difference may result from the focus of *Political Economy*, which is devoted to the administration or execution of laws by the government rather than to the principle underlying sovereignty (Pléiade, III, lxxiv–lxxvii). But in 1754–1755, Diderot was both editor of the *Encyclopédie* and Rousseau's friend; hence, it may simply be that Rousseau sought to avoid an open criticism of Diderot's article in this context. While *Political Economy* is significant as Rousseau's first published exposition speaking of the "general will," it is probably even more important as a presentation of his distinction between the people as "sovereign" and the "government" as executor of the laws. As one editor concluded, "It would hardly be too much to say that the whole political theory of Rousseau, on its more abstract side, was already formed when he wrote the *Économie Politique*" (Vaughan, I, 230). Although there are several passages which appear both in this article and in the *Geneva Manuscript*, it does not follow that the latter was written first; see *Geneva Manuscript*, editorial note 20, and editorial note 3 below.

[2]A cross-reference to the article of this name in the *Encyclopédie*. As Derathé points out (Pléiade, III, 1390), Rousseau himself subsequently presented his own views on "domestic economy" in the novel *Julie, ou la Nouvelle Héloïse*, especially IV, x–xi and V, ii–iii (Pléiade, II, 440–488, 527–585).

[3]This paragraph, and the four that follow (to " . . . human wisdom has ever made ten men capable of governing their fellow men") also appear in *Geneva MS,* I, v (paragraphs three through seven). It is quite possible that the *Geneva Manuscript* borrowed the already published text of *Political Economy,* and not vice versa (consider Pléiade, III, 1390–1391—note 1 to p. 242). On Rousseau's rejection of paternal authority as a ground for political right, see also *Second Discourse,* Part 2 (ed. Masters, pp. 165–168).

[4]In the posthumous edition of Rousseau's works (1782), the following passage is added at this point: "The power of the father over his children, founded on their private advantage, cannot by its nature extend to the right of life and death; but the sovereign power, which has no other object than the common good, has no other limits than those of the public utility, properly understood: a distinction that I will explain in its proper place." (Pléiade, III, 1390). Rousseau doubtless refers to *Social Contract,* especially II, iv–v; see *Social Contract,* editorial note 50.

[5]On Rousseau's conception of inequality between males and females, compare "Sophie, ou la femme" in *Émile,* V (Pléiade, IV, 692–763), especially pp. 697–698: "When woman complains about the unjust inequality [of duties related to sex] imposed by man, she is wrong; this inequality is not a human institution, or at least it is not the work of prejudice, but of reason: it is appropriate for the one of the two [sexes] to which nature entrusted the deposit of bearing children to answer for it to the other. Without doubt no one is permitted to violate his word, and every unfaithful husband . . . is an unjust and barbarous man. But the unfaithful wife does more, she dissolves the family and breaks all the bonds of nature . . ." On the contrast between Plato's argument for the equality of the sexes and Rousseau's contrary view, see Masters, *Political Philosophy of Rousseau,* pp. 21–27, 98–105.

[6]In the edition of 1782, the last clause was changed to read: " . . . happy, their rights could not come from the same source nor could the same rules of conduct be suited to both" (Pléiade, III, 1391).

[7]In the edition of 1782, this sentence was changed to read: " . . . since Aristotle himself, who adopts it in certain places in his *Politics,* judges it appropriate to criticize it in others." (Pléiade, III, 1392). Compare *Politics,* I, i.1252a (ed. Barker, p. 1)—rejecting the analogy of statesman and father—with I.xii. 1259b (pp. 32–33), III, vi.1278b (pp. 111–113), III, xiv.1285b (pp. 139–140), and *Nicomachean Ethics,* VIII.x. 1160b–1161a (ed. Ostwald, pp. 234–235). The two critics of Filmer mentioned in the preceding sentence are John Locke *(First Treatise of Government)* and Algernon Sidney *(Discourse Concerning Government).*

[8]Rousseau refers to articles which were to appear in subsequent volumes of the *Encyclopédie.* But since Diderot did not complete the editorial work on this immense project until 1761, and the volumes at the end of the alphabet weren't published until 1765–1766, it is not clear whether Rousseau referred to manuscripts of the entries under *Politics* and *Sovereignty,* or simply anticipated their inclusion. On the importance of Rousseau's distinction between the government and the sovereign, see *Social Contract,* III, i, and editorial note 68, as well as Introduction, pp. 14–24. For the "common comparison" in the next paragraphs, compare *Social Contract,* III, xi; and Hobbes, *Leviathan,* Author's Introduction (ed. Oakeshott, p. 5).

[9]Rousseau here refers to Diderot's article on *Natural Right,* published along with his own article in Volume V of the *Encyclopédie,* as the "source" of his concept of the "general will." Rousseau, however, modifies Diderot's conception in a fundamental way: compare Introduction, pp. 15–17 and *Geneva Manuscript,* I, ii, especially editorial notes 8, 10, and 11 citing Diderot. For the full French text of *Natural Right,* see Vaughan, I, 429–433. Some commentators have questioned whether Rousseau was

actually inspired to use the term "general will" by Diderot (Pléiade, III, 1394–1395). It is, however, perfectly plausible—especially since this sentence was deleted from the editions of 1758 and 1782 (Vaughan, I, 242), presumably reflecting Rousseau's break with Diderot. On Rousseau's relations with Diderot, see the balanced account in Arthur M. Wilson's remarkable *Diderot* (New York: Oxford University Press, 1972).

[10]On the "group theory" of politics presented in the foregoing paragraph, see Introduction, pp. 21–23, and *Social Contract*, III, ii. Rousseau's conclusion that "the voice of the people is in fact the voice of God" *(vox populi vox dei)* is more than a restatement of the old Roman precept; it also reflects Rousseau's rejection of any revealed religion which presumes that God speaks to some individuals rather than to others. In effect, according to Rousseau's personal religion, "It is to be believed that particular events are nothing in the eyes of the master of the universe; that his providence is solely universal; that he contents himself with conserving genera and species and with presiding over the whole, without disquieting himself concerning the manner in which each individual uses this short life." Letter to Voltaire, August 18, 1756 (cited in Masters, *Political Philosophy of Rousseau*, pp. 68–69). See also the second part of the "Profession of Faith of the Savoyard Vicar," *Émile*, IV (Pléiade, IV, 607–635).

[11]Compare Cicero, *De Re Publica*, I.xxvii. 43–xxviii.44 (ed. Keyes, pp. 69–71); *Second Discourse*, Dedication (ed. Masters, p. 82); and *Social Contract*, III, iii, especially editorial note 79.

[12]Diderot had written: "Alas, virtue is so beautiful that thieves respect its image even deep within their hideouts." (Vaughan, I, 433). In the posthumous edition of 1782, the paranthetical reference to Diderot's article on *Natural Right* was deleted (Vaughan, I, 244); compare editorial note 9 above.

[13]For Rousseau's judgment of Machiavelli, see *Social Contract*, III, vi.

[14]The following passage. up to the words " . . . and not to be in contradiction with himself," appears in *Geneva Manuscript*, I, vii (pp. 177–178). Note especially the phrase "to force them to punish themselves when they do what they did not want" and compare *Social Contract*, I, vii and editorial note 37.

[15]Plato, *Laws*, IV.719e–724a. On the ineffectiveness of punishment, compare *Second Discourse*, Part 2 (ed. Masters, pp. 172–173); *Social Contract*, II, v; and the educational proposals in *Émile*, II (Pléiade, IV, 299–324, 335, et passim). Rousseau's critical remarks in this paragraph can also be read, however, as an attack on the legal procedures of the *ancien régime*. As an example of what Rousseau may have had in mind, consider the following account of the famous Calas case, which occurred a few years later: "Marc-Antoine Calas, a member of a devout Huguenot family in Toulouse, was a moody young man who met a violent death, almost certainly by his own hand. The authorities persisted in the attempt to prove that he had been a secret convert to Catholicism, for which, they alleged, he was murdered by his fanatical Calvinist family. As a result the father, Jean Calas, a man sixty-four years old, was adjudged guilty and on 9 March 1762 was broken on the wheel and then strangled by the public executioner. Research has now revealed that the outburst of fear and hysteria that led to the tragedy of Calas was really caused by apprehension in Toulouse lest the Calvinists take advantage of the Seven Years' War in order to revolt." Wilson, *Diderot*, p. 441.

[16]Compare *Social Contract*, II, vii–xi and III, viii. On the word "mores" (manners, morals, and customs), used to translate the French *moeurs*, see editorial note 128 to the *Social Contract*.

[17]Compare *Social Contract*, II, iii, and Introduction, pp. 19–20.

[18]Rousseau's emphasis on "virtue" in the *First Discourse* often seems to suffer from

the absence of any definition of the term beyond the remark that it is "the strength and vigor of the soul" (Part I [ed. Masters, p. 37]). The definition offered here could thus be seen as the link between Rousseau's attack on the moderns in the *Discourses* and the presentation of his own political principles in the *Social Contract*. Compare *Geneva Manuscript*, I, iv: "the habit that disposes us to practice these acts [that contribute to the greatest good], even to our own disadvantage, is what is called force or virtue."

[19]At this point, the edition of 1782 adds a quotation from St. Augustine's Letters: " 'Sicuti enim est aliquando misericordia puniens, ita est crudelita parcens' *Aug. Epist.* 54." (Pléiade, III, 1397). "Just as sometimes pity can punish, so cruelty can pardon."

[20]Rousseau here alludes to Cato's suicide (which had been criticized by some modern writers—including Montesquieu). The comparison between Socrates and Cato, developed in this paragraph, was apparently of considerable importance to Rousseau, as is shown by some recently published manuscripts in which he compares the two. See Claude Pichois and René Pintard, *Jean-Jacques entre Socrate et Caton* (Paris: José Corti, 1972), especially, pp. 97–99.

[21]So much for the charge that Rousseau was a totalitarian. On the role of patriotism, see *Considerations on the Government of Poland*, especially chap. III (ed. Watkins, pp. 167–176) and *Constitutional Project for Corsica*, Part 1 (ed. Watkins, pp. 280–281). These two works are very useful to compare to *Political Economy*, since they provide concrete instances of Rousseau's application of his own thought to what is today called "public policy."

[22]At this point, the text in the *Encyclopédie* adds: "See EDUCATION." However, an erratum to Volume V indicated that the cross-reference should be deleted, and it does not appear in the edition of 1758 (Pléiade, III, 1402). Rousseau's stress on public education is all the more remarkable, since such educational systems did not generally exist until the nineteenth century. On public education, see *Considerations on the Government of Poland*, chap. IV (ed. Watkins, pp. 176–181); *Émile*, I (Pléiade, IV, 250–251); and *First Discourse*, Part 2, note (ed. Masters, pp. 57–58).

[23]"Since the things that can become property are only useful to men while they are alive and since the dead have no more role in the affairs of this world, it was not necessary for the establishment of property to extend to giving the owner the right to choose whom he wants to succeed to the goods he leaves on dying. It was sufficient that each dispose of his goods during his life, leaving to those who survive him the care of doing what they would judge appropriate when he was no longer alive." Pufendorf, *Droit de la Nature et des Gens*, IV, x, § 4 (cited in Pléiade, III, 1403).

[24]"There are seven ways in general to get money for public finances, in which are included all that can be imagined . . . As to the first, which is public domain, it seems to be the most honest and most assured of all." Bodin, *Les six livres de la République* (cited in Pléiade, III, 1404). On the responsibility of the "founder of a republic" to establish public revenues, compare *Social Contract*, II, vii.

[25]"It nourishes and enriches." As Derathé points out, Rousseau's position is the opposite of the "physiocrats" like Quesnay, who favored free trade instead of public granaries (Pléiade, III, 1404–1405). On Rousseau's attitude toward Geneva, see *Social Contract*, editorial note 7.

[26]In the edition of 1758 and thereafter, Rousseau adds: "It was only at the seige of the Veii that the Roman infantry began to be paid." (Pléiade, III, 1405). On Rousseau's preference for a citizen army—and his hostility to mercenaries, compare Machiavelli, *The Prince*, chap. xiii (ed. Musa, pp. 111–117); *Social Contract*, III, xv; *Considerations on the Government of Poland*, Chapter XII (ed. Watkins, pp. 236–245); and especially *Dernière Réponse* (Pléiade, III, 82): "War is sometimes a duty and is not made to be a profession. Every man should be a soldier to defend his freedom, none should be

one to invade the freedom of others; and to die while serving one's homeland is too noble a function to confide to mercenaries."

[27]See Bodin, *Les six livres de la République,* VI, ii (cited Pléiade, III, 1406). The first draft of this passage reads: "This truth that taxes cannot be established—legitimately—except by the consent of the people or its representatives has been generally acknowledged by all the—philosophers and—legal theorists (such as Grotius—Locke—Pufendorf) who have acquired any reputation in matters of political right, (if there are any) *some like Bodin* have (given the prince the right to raise taxes on his authority . . .) established maxims that appear contrary . . . " (Launay, II, 304). Note that in both the draft and final text, Rousseau uses the phrase "the people or its representatives," and compare *Social Contract,* III, xv, and editorial note 105.

[28]"The tax by head is most natural to slavery; the tax on merchandise is most natural to freedom, because it is related in a less direct manner to the individual person." *L'Esprit des Lois,* XIII, xiv (ed. Caillois, p. 467). As Derathé points out (Pléiade, III, 1406–1407), Rousseau twists Montesquieu's preference for indirect taxation by substituting "property taxation *(la taxe réelle)*" for Montesquieu's "the tax on merchandise *(l'impôt sur les marchandises).*" More broadly, it is of interest to compare Montesquieu's argument throughout Book XIII with *Political Economy*—and especially with Rousseau's proposal for a progressive income tax in the following passage.

[29]Rousseau refers to Chardin's *Voyages en Perse* (4 vols.; Amsterdam, 1735)—a work which he cites at length in *Social Contract,* III, viii. On Herodotus, see *Histories,* III. 89: Darius, after becoming King, "divided his dominions into twenty governments, called by the Persians satrapies; and doing so and appointing governors, he ordained that each several nation should pay him tribute . . . In the reigns of Cyrus and Cambyses after him there was no fixed tribute, but payment was made in gifts. It is by reason of this fixing of tribute, and other like ordinances, that the Persians called Darius the huckster, Cambyses the master, and Cyrus the father; for Darius made a petty profit out of everything, Cambyses was harsh and arrogant, Cyrus was merciful and ever wrought for their well-being." Trans. A. D. Godley 4 vols. (London: Loeb Classical Library, 1921), II, 117. Rousseau's apparently innocent citation is thus an implicit criticism of monarchy and empire.

[30]Compare *Political Economy,* editorial note 27, and the references there cited.

[31]Rousseau again refers to Bodin, *Les six livres de la République,* VI, ii: "Thus most imposers and inventors of new taxes have lost their lives at it" (cited Pléiade, III, 1409). As one critic has put it, this last paragraph "is a finished piece of irony" (Vaughan, I, 273).